

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

Civil No. 1:16-CV-00406

Vanessa Dundon, Jade Kalikolehuaokalani)
Wool, Crystal Wilson, David Demo, Guy)
Dullknife III, Mariah Marie Bruce, Frank)
Finan, Isreal Hoagland-Lynn, and Noah)
Michael Treanor,)
on behalf of themselves and all similarly-)
situated persons,)
Plaintiffs,)
vs.)
Kyle Kirchmeier, Morton County, City of)
Mandan, Jason Ziegler, Stutsman County,)
Chad Kaiser, and Does 1-100,)
Defendants.)

**AFFIDAVIT OF
KYLE KIRCHMEIER**

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF BURLEIGH)

Being duly sworn, Kyle Kirchmeier testifies:

1. I am the Sheriff of Morton County, North Dakota and have been since January 1, 2015. I was previously employed by the North Dakota Highway Patrol most recently at the rank of captain, and was employed there for more than 28 years. I previously served on the ND HP Tactical Team for 20 years. I have been employed as a law enforcement officer for more than 34 years. I make this affidavit upon personal knowledge.

2. I have received numerous threats against my safety and against my life (and have received

similar threats to my family members) from individuals sympathetic to the cause of people protesting the Dakota Access Pipeline (DAPL) as well as threats from protesters themselves (collectively, “protesters”). Those threats have been transmitted to me through social media, to my home telephone answering machine, through my work email, and through letters.

3. Both my wife and I have also been the victims of “doxing” by protesters in which my photograph, video of me, and our personal home address and telephone number have been published on the internet with invitations to commit violence against me or to kill me. Some of the instances of doxing against me and my wife have been compiled by Cody Larson of the BCI.
4. I have received emails from protesters in which threats against my life have been made. Attached hereto as **Exhibit 1** is a true and correct copy of one such email where Brianna Skildum threatens, “. . . know that we are coming after you. Kill us, bring us down, and you come with us.”
5. Another email I received from a person identifying Oregon as his home state and stating he is bringing 150 people to North Dakota to take care of law enforcement, with the implication being the 150 Oregonians are coming to harm or kill me and other law enforcement officers. Due to my ongoing responsibilities and workload, including the emergent nature of responsibilities due to protester activities, I have had insufficient time to search out and locate further emails in which protesters have threatened me. I will in the near future supplement this affidavit with further specific examples of threatening emails I received in which my life and safety are threatened by protesters.
6. I have received several telephone voice messages at my personal home telephone in which

several implied threats are made by protestors against me such as “we are coming to North Dakota, will come to your home, and will take care of business.” I disconnected my phone out of fear for the safety and well-being of myself and my family, and I no longer have access to those threatening voice messages.

Dated this 5 day of January, 2017.

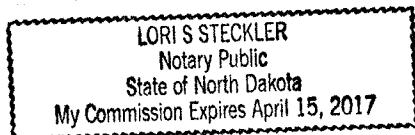
Kyle Kirchmeier

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

The foregoing **Affidavit of Kyle Kirchmeier** was subscribed and sworn to before me, a notary public, by Kyle Kirchmeier, this 5th day of January, 2017.

(S E A L)

Notary Public,
State of North Dakota
My Commission Expires: _____



CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2016, a true and correct copy of the foregoing **Affidavit of Kyle Kirchmeier** was filed electronically with the Clerk of Court through ECF.

ATTORNEYS FOR PLAINTIFFS:

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By: *s/Randall J. Bakke*
Randall J. Bakke